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8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**  
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11 TODD DAVID MAINZER,

12 Petitioner,

13 vs.

14 E. K. McDANIEL, *et al.*,

15 Respondents.  
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) 3: 09-cv-00388-HDM-RAM  
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**ORDER**

17 This is a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

18 On July 22, 2009, the clerk sent a notice to petitioner regarding this case. (Docket #2.) On July 27,  
19 2009, the clerk sent petitioner a receipt for payment of the filing fee for this case. (Docket #3.)  
20 These two items were returned to the court as undeliverable, with notations indicating that petitioner  
21 is no longer at High Desert State Prison. (Docket #5, #6.) Petitioner has not notified the court of a  
22 new address.

23 Rule LSR 2-2 of the Local Rules of Special Proceedings and Appeals provides:

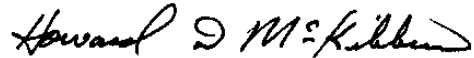
24 The plaintiff shall immediately file with the court written  
25 notification of any change of address. The notification must include  
26 proof of service upon each opposing party or the party's attorney.  
Failure to comply with this rule may result in dismissal of the action  
with prejudice.

1 In view of petitioner's failure to keep the court informed of his address as required by LSR 2-2, the  
2 court will dismiss this action without prejudice.

3 **IT IS THEREFORE ORDERED** that this action is **DISMISSED WITHOUT**  
4 **PREJUDICE.**

5 **IT IS FURTHER ORDERED** that the Clerk shall **ENTER JUDGMENT**  
6 accordingly.

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8 Dated this 27<sup>th</sup> day of August, 2009.

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11 UNITED STATES DISTRICT JUDGE  
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